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<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>Gregg Roberts 43430 E Florida Ave F293 Hemet CA 92544 951-330-4450 gregg@legalsupport-sc.com Assignee of Record and Judgment Creditor, Pro Se</p> <p><input checked="" type="checkbox"/> Individual appearing without attorney <input type="checkbox"/> Attorney for:</p>		<p>FOR COURT USE ONLY</p>	
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION</p>			
<p>In re:</p> <p>Cammy Lynn Mendes</p> <p>Debtor(s).</p>		<p>CASE NO.: 8:25-bk-11756-SC ADVERSARY NO.: [[[8:25-ap-01299-SC]]] (if applicable) CHAPTER: 7*Select Chapter**</p>	
<p>Plaintiff(s) (if applicable). vs.</p> <p>Defendant(s) (if applicable).</p>		<p>AMENDED <i>AR</i> NOTICE OF APPEAL AND STATEMENT OF ELECTION with Order Attached <i>AR</i></p>	

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s): Gregg Roberts
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

- ☐ Plaintiff
- ☐ Defendant
- ☒ Other (describe): An adversary proceeding exists in this case, but the order being appealed is in the main case.

For appeals in a bankruptcy case and not in an adversary proceeding.

- ☐ Debtor
☒ Creditor
☐ Trustee
☐ Other (describe):

Part 2: Identify the subject of this appeal

1. Describe the judgment—or the appealable order or decree—from which the appeal is taken:

ORDER ON OBJECTION TO CLAIMED EXEMPTION IN REAL PROPERTY -- see attached

2. State the date on which the judgment—or the appealable order or decree—was entered: 10/27/2025

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment—or the appealable order or decree—from which the appeal is taken and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: Cammy Lynn Mendes

Attorney:

Bert Briones (SBN 237594) and Martina A. Slocomb (SBN 252157)

RED HILL LAW GROUP

15615 Alton Parkway, Suite 210, Irvine, California 92618

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2. Party:

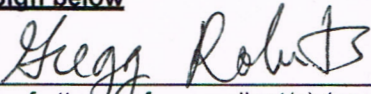
Attorney:

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

- ☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below



Date: 11/12/2025

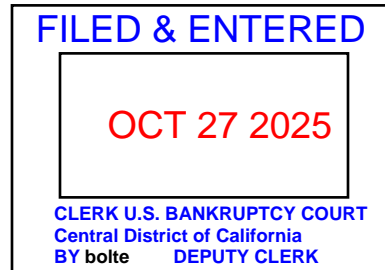
Signature of attorney for appellant(s) (or appellant(s)
if not represented by an attorney)

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

[Note to inmate filers: If you are an inmate filer in an institution and you seek the timing benefit of Fed. R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]

ORDER BEING APPEALED

Bert Briones (SBN 237594)
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Attorneys for Debtor

CHANGES MADE BY COURT

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

In re:

CAMMY LYNN MENDES,

Debtor.

Case No. 8:25-bk-11756-SC

Chapter 7

**ORDER ON OBJECTION TO CLAIMED
EXEMPTION IN REAL PROPERTY**

Hearing:

Date: October 14, 2025

Time: 11:00 a.m.

Crtm: ZoomGov; 5C, 411 W Fourth St.,
Santa Ana, CA 92701

The Court considered the Objection to Claimed Exemption in Real Property filed by Gregg Roberts filed at ECF Dkt. No. 8 (the “Objection”), the Opposition filed by Debtor Cammy Lynn Mendes, the Reply filed by Roberts, the evidentiary objections of Cammy Lynn Mendes to the evidence submitted by Gregg Roberts, and the oral argument at the hearing on the Objection. For the reasons stated in the Court’s tentative ruling, which is set forth below, and for the reasons stated on the record at the hearing on the Objection, the Court hereby orders as follows:

1 1. In advance of the hearing, the Court posted the following tentative, which it adopted
2 in full at the hearing:

3 Tentative for 10/14/25:

4 The Court is inclined to OVERRULE Gregg Robert's Objection [Dk. 8].

5 Fed. R. Bankr. Proc. Rule 4003(c) makes clear that a party in interest who objects to a
6 claimed exemption has the burden of proving that the exemption was not properly
7 claimed. The cases Mr. Roberts relies upon in his Reply [Dk. 20], *Raleigh v. Illinois*
8 *Dep't of Revenue*, 530 U.S. 15 (2000) and *Diaz v. Kosmala (In re Diaz)*, 547 B.R.
9 329, 336-38 (BAP 9th Cir. 2016), do not negate this burden, as clarified by more
10 recent precedent from the Ninth Circuit: *Lee v. Field (In re Lee)*, 889 F.3d 639 (9th
11 Cir. 2018). Mr. Roberts accordingly had the initial burden to show Debtor's
12 exemption was improper in his objection, which he did not do.

13 Moreover, Mr. Roberts' Reply and Mr. Carual's Declaration [Dk. 21] do not rectify
14 the deficiencies of the Objection; neither provide sufficient evidence showing that
15 Debtor's exemption was not properly claimed. Debtor's evidentiary objections [Dk.
16 29] to both are well-taken, in light of Local Rule 9013-1(g)(4) barring new arguments
17 or matters raised for the first time in reply documents from consideration.

18 Virtual appearances are required.


19 2. Debtor established a valid homestead exemption in the property located at 503
20 Traverse Drive, Costa Mesa, California 92626.

21 3. The Court overrules the Objection for the reasons stated on the record and in the
22 tentative ruling.

23 **IT IS SO ORDERED.**

24 #####

25 Date: October 27, 2025

26 
27 Scott C. Clarkson
28 United States Bankruptcy Judge

PROOF OF SERVICE

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
43430 E Florida Ave Ste #F, Hemet CA 92544

AMENDED

A true and correct copy of the foregoing document entitled: **NOTICE OF APPEAL AND STATEMENT OF ELECTION** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

I have no access to CM/ECF.

☐ Service information continued on attached page

12 V3
2. SERVED BY UNITED STATES MAIL:

On (date) 11/10/2025, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor: Cammy Lynn Mendes, 503 Traverse Dr, Costa Mesa CA 92626

Debtor Counsel: Bert Briones, Red Hill Law Group, 15615 Alton Pkwy, Ste 210, Irvine CA 92618 and Martina A.

Slocomb, Red Hill Law Group, 15615 Alton Pkwy, Ste 210, Irvine CA 92618

Judge: Hon. Scott C. Clarkson, 411 W 4th St, Ste 5130 / CR 5C, Santa Ana CA 92701-4593

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

11/12/2025

Date

Vito A. Vitale III

Printed Name

Vito A. Vitale III

Signature